

Please enter the following amendments and remarks:

**AMENDMENT TO THE CLAIMS**

Claims 1-6. (withdrawn)

Claim 7. (currently amended) A ready-to-use food product being suitable for storage in a container, said product comprising:

a batter;

at least one leavening agent;

at least one oil;

wherein, said oil separates said batter and leavening agent while stored in said container, and agitation causes said batter, leavening agent and oil to at least partially admix; and

~~The product of Claim 1,~~ wherein said at least one leavening agent is at least partially coated.

Claim 8. (currently amended) The product of Claim 7, wherein said at least partially ~~encapsulated~~ coated leavening agent is at least partially coated with a fatty material.

Claim 9. (currently amended) The product of Claim 7, wherein said at least partially ~~encapsulated~~ coated leavening agent is at least partially coated with an edible fat, wax, or hydrogenated vegetable oil.

Claim 10. (currently amended) A ready-to-use food product being suitable for storage in a container, said product comprising:

a batter;

at least one leavening agent;

at least one oil;

wherein, said oil separates said batter and leavening agent while stored in said container, and agitation causes said batter, leavening agent and oil to at least partially admix; and

~~The product of Claim 1,~~ wherein said leavening agent is generally alkaline and further comprises a plastic hydrogenated shortening and a fat as an at least partial coating material.

Claims 11-29. (withdrawn)

Claim 30. (currently amended) A ready-to-use food product being suitable for storage in a container, said product comprising:

a batter;

at least one leavening agent;

at least one oil;

wherein, said oil separates said batter and leavening agent while stored in said container, and agitation causes said batter, leavening agent and oil to at least partially admix; and

~~The product of Claim 1,~~ wherein said leavening agent comprises an encapsulated acidulant selected from the group consisting of monocalcium phosphate, monocalcium phosphate anhydrous, sodium acid pyrophosphate, sodium aluminum pyrophosphate, dicalcium phosphate dihydrate, dicalcium phosphate, sodium aluminum sulfate, glucondelta-lactone, and potassium hydrogen tartrate.

Claim 31. (currently amended) A ready-to-use food product being suitable for storage in a container, said product comprising:

a batter;

at least one leavening agent;

at least one oil;

wherein, said oil separates said batter and leavening agent while stored in said container, and agitation causes said batter, leavening agent and oil to at least partially admix; and

~~The product of Claim 1,~~ wherein said leavening agent comprises an encapsulated acidulant comprising a baking acid.

Claims 32-33. (withdrawn)

Claim 34. (original) A method for preparing a storable culinary product, said method comprising:

adding an aqueous unleavened batter having an effective pH below about 5.5 to a container;

forming a layer of oil above the aqueous acidified batter in said container; and,

adding an edible alkaline leavening agent above said oil layer within said container, said leavening agent being encapsulated in a normally water-insoluble, edible material, and in a quantity sufficient to raise the batter upon cooking into a final cooked culinary product.

Claim 35. (original) The method of Claim 34, wherein said alkaline leavening agent comprises sodium bicarbonate.

Claim 36. (original) The method of Claim 34, wherein the edible material encapsulating said leavening agent comprises an edible fat, wax, or hydrogenated vegetable oil.

Claim 37. (original) The method of Claim 34, wherein said edible material comprises a plastic hydrogenated shortening and a fat.

Claim 38. (original) The method of Claim 34, further comprising adding an edible fungistatic agent to said batter.

Claim 39. (original) The method of Claim 38, wherein the edible fungistatic agent comprises sorbic acid.

Claim 40. (original) The method of Claim 34, wherein said pH of said batter is in a range of about 3.9 to about 5.5.

Claim 41. (original) The method of Claim 34, wherein said batter comprises a mixture of flour, eggs, sugar and milk solids.

Claim 42. (original) A method for preparing a storable culinary product, said method comprising:

forming an aqueous unleavened batter;

adding an edible acid to said batter so as to lower a pH of said batter to below about 5.5;

placing said batter in a container;

forming a layer of oil above the aqueous, acidified batter in said container; and, adding an edible alkaline leavening agent to said oil layer;

wherein, said leavening agent is encapsulated in a normally water-insoluble edible material, and is in a quantity sufficient to raise the batter upon cooking into a final cooked culinary product.

Claim 43. (original) The method of Claim 42, wherein said alkaline leavening agent comprises sodium bicarbonate.

Claim 44. (original) The method of Claim 42, wherein the edible material encapsulating said leavening agent comprises an edible fat, wax or hydrogenated vegetable oil.

Claim 45. (original) The method of Claim 42, wherein said edible material comprises a plastic hydrogenated shortening and a fat as the encapsulating material.

Claim 46. (original) The method of Claim 42, further comprising adding an edible fungistatic agent to said batter.

Claim 47. (original) The method of Claim 46, wherein the edible fungistatic agent comprises sorbic acid.

Claim 48. (original) The method of Claim 42, wherein said pH of said batter is in a range of about 3.9 to about 5.5.

Claim 49. (original) The method of Claim 42, wherein said batter comprises a mixture of flour, eggs, sugar and milk solids.

Claims 50-55. (withdrawn)

Claim 56. (original) A method for preparing a storable culinary product, said method comprising: forming an aqueous unleavened batter;  
adding an edible acid to said batter so as to lower a pH of said batter to below about 5.5;  
placing said batter in a container;  
forming a layer of oil above the aqueous, acidified batter in said container, and adding an encapsulated edible alkaline leavening agent and encapsulated acidulant each of a sufficiently small particle size to enable the leavening agent and encapsulated acidulant to remain substantially dispersed and suspended within the oil layer, to said oil layer;  
wherein, said alkaline leavening agent is in a quantity sufficient to raise the batter upon cooking into a final cooked culinary product.

Claim 57. (original) The method of Claim 56, wherein said alkaline leavening agent comprises sodium bicarbonate.

Claim 58. (original) The method of Claim 56, wherein said encapsulated acidulant comprises a leavening acid selected from the group consisting of monocalcium phosphate (MCP), monocalcium phosphate anhydrous (AMCP), sodium acid pyrophosphate (SAPP), sodium aluminum pyrophosphate (SALP), dicalcium phosphate dihydrate (DPD), dicalcium phosphate (DCP), sodium

aluminum sulfate (SAS), glucon-delta-lactone (GDL), potassium hydrogen tartrate (cream of tartar) and baking acid.

Claim 59. (original) The method of Claim 58, further comprising adding an edible fungistatic agent to said batter.

Claim 60. (original) The method of Claim 59, wherein the edible fungistatic agent comprises sorbic acid.

Claim 61. (original) The method of Claim 59 wherein said pH of said batter is in a range of about 3.9 to about 5.5.

Claim 62. (original) The method of Claim 56, wherein said batter comprises a mixture of flour, eggs, sugar and milk solids.

Claim 63. (original) A method for preparing a storable culinary product, said method comprising:

forming an aqueous unleavened batter,

adding an edible acid to said batter so as to lower a pH of said batter to below about 5.5;

placing said batter in a container;

forming a layer of oil above the aqueous, acidified batter in the container; and, adding an encapsulated edible alkaline leavening agent and encapsulated acidulant above said oil layer in said container.

Claim 64. (original) The method of Claim 63, wherein said alkaline leavening agent comprises sodium bicarbonate.

Claim 65. (original) The method of Claim 63, wherein said encapsulated acidulant comprises at least one leavening acid selected from the group consisting essentially of monocalcium phosphate (MCP), monocalcium phosphate anhydrous (AMCP), sodium acid pyrophosphate (SAPP), sodium aluminum pyrophosphate (SALP), dicalcium phosphate dihydrate (DPD), dicalcium phosphate (DCP), sodium aluminum sulfate (SAS), glucondelta-lactone (GDL), potassium hydrogen tartrate (cream of tartar) and baking acid.

Claim 66. (original) The method of Claim 65, further comprising adding at least one edible fungistatic agent to said batter.

Claim 67. (original) The method of Claim 66, wherein said at least one edible fungistatic agent comprises sorbic acid.

Claim 68. (original) The method of Claim 63, wherein said pH of said batter is in a range of about 3.9 to about 5.5.

Claim 69. (original) The method of Claim 63, wherein said batter comprises a mixture of flour, eggs, sugar and milk solids.

Claim 70. (original) The method of claim 69, wherein said encapsulated alkaline leavening agent is sized below about 250 microns.



Claims 71-79. (withdrawn)

Claim 80. (currently amended) A food product comprising:

a batter;

oil;

at least one leavening agent;

wherein, when stored in a container, in a first state said oil substantially isolates said at least one leavening agent from said batter, and in a second state, said at least one leavening agent, oil and batter are at least partially admixed; and

~~The product of Claim 75,~~ wherein said at least one leavening agent is at least partially coated.

Claim 81. (currently amended) The product of Claim 80, wherein said at least partially ~~encapsulated~~ coated leavening agent is at least partially coated with a fatty material.

Claim 82. (currently amended) The product of Claim 80, wherein said at least partially ~~encapsulated~~ coated leavening agent is at least partially coated with an edible fat, wax, or hydrogenated vegetable oil.

Claim 83. (withdrawn)

Claim 84. (currently amended) A food product comprising:

a batter;

oil;

at least one leavening agent;

wherein, when stored in a container, in a first state said oil substantially isolates said at least one leavening agent from said batter, and in a second state, said at least one leavening agent, oil and batter are at least partially admixed;

wherein said leavening agent comprises sodium bicarbonate; and

~~The product of Claim 83,~~ wherein said leavening agent is at least partially encapsulated using a plastic hydrogenated shortening and a fat.

Claims 85-89. (withdrawn)

Claim 90. (currently amended) A food product comprising:

a batter;

oil;

at least one leavening agent;

wherein, when stored in a container, in a first state said oil substantially isolates said at least one leavening agent from said batter, and in a second state, said at least one leavening agent, oil and batter are at least partially admixed; and

~~The product of Claim 75,~~ wherein said leavening agent comprises an encapsulated acidulant selected from the group consisting of monocalcium phosphate, monocalcium phosphate anhydrous, sodium acid pyrophosphate, sodium aluminum pyrophosphate, dicalcium phosphate dihydrate, dicalcium phosphate, sodium aluminum sulfate, gluconolactone, and potassium hydrogen tartrate.

Claim 91. (currently amended) A food product comprising:

a batter;

oil;

at least one leavening agent;

wherein, when stored in a container, in a first state said oil substantially isolates said at least one leavening agent from said batter, and in a second state, said at least one leavening agent, oil and batter are at least partially admixed; and

~~The product of Claim 75,~~ wherein said leavening agent comprises an encapsulated acidulant comprising a baking acid.

Claims 92-94. (withdrawn)